

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Marcus D. Pieper**

**Docket No. 5:13-MG-1607-1JG**

**Petition for Action on Supervised Release**

COMES NOW Maurice J. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Marcus D. Pieper, who, upon an earlier plea of guilty to Level 5 DWI, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on October 9, 2013, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200.00 fee.
2. The defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program directed by the U.S. Probation Office.
3. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his/her privilege to do so is restored in accordance with law.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Mr. Pieper completed his 24 hours of community service, a substance abuse assessment, substance abuse treatment, and paid his fines and/or special assessments as ordered. The defendant was discharged from the Army several months ago and currently suffers from PTSD and TBI. His wife has decided to relocate for work and now that the defendant is no longer in the military, they plan on moving back to Ohio. As a result, the probation office is recommending that his term of probation be terminated.

**PRAYING THAT THE COURT WILL ORDER THE FOLLOWING:**

That the term of probation be terminated.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain  
Michael C. Brittain  
Supervising US Probation Officer

/s/Maurice J. Foy  
Maurice J. Foy  
U.S. Probation Officer  
310 New Bern Avenue, Room 610 Raleigh,  
NC 27601-1441  
Phone: 919-861-8678  
Executed On: April 4, 2014

### ORDER OF THE COURT

Considered and ordered this 7<sup>th</sup> day of April, 2014, and ordered filed and made a part of the records in the above case.

Probation Terminated X

Continued \_\_\_\_\_

Other \_\_\_\_\_

  
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James E. Gates  
U.S. Magistrate Judge